

To the Members of the California State Senate:

I am returning SB 1494 without my signature.

This bill reverses an agreement that led to the passage of SB 420 (Vasconcellos) in 2003. That statute established quantity guidelines which gave patients and law enforcement clarity in the law with respect to possession of medicinal marijuana under Proposition 215. Reasonable and established quantity guidelines allow medicinal marijuana patients to seek relief from symptoms free from legal questions and permit law enforcement to carry out the law.

Senate Bill 1494 removes the limitation on the amount of marijuana a qualified patient, person with an identification card, or primary caregiver can possess. Since the passage of Proposition 215, local governments have grappled with the interpretation of the voters' intent with respect to how much marijuana a patient may possess for medical use. Senate Bill 420 resolved this issue.

Enactment of this bill would create uncertainty in this area of the law thereby making it more difficult for law enforcement to determine when a person was in possession of marijuana for medicinal purposes pursuant to Proposition 215.

For these reasons, I am unable to sign this measure.

Sincerely,

Arnold Schwarzenegger